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8 UNITED STATES DISTRICT COURT  
9 NORTHERN DISTRICT OF CALIFORNIA  
10 OAKLAND DIVISION

11 UNITED STATES OF AMERICA, ) No. CR-12-00756 SBA  
12 Plaintiff, )  
13 v. ) ORDER GRANTING STIPULATED  
14 JOSHUA ROSENTHAL and ) REQUEST TO SET CHANGE OF PLEA  
15 JEFFREY WELLER, ) AND SENTENCING ON JANUARY 31,  
16 Defendants. ) 2013

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18 The parties jointly requested that this matter be set for change of plea and sentencing on  
19 January 31, 2013 at 10:00 a.m. The defendants have agreed that the Court may review the pre-  
20 plea Presentence Investigation Reports even though they have not yet pleaded guilty.

21 **IT IS HEREBY ORDERED** that this matter as to defendants Joshua Rosenthal and  
22 Jeffrey Weller is set for change of plea and sentencing on January 31, 2013 at 10:00 a.m.

23 Time under the Speedy Trial Act is tolled from October 25, 2012 to January 31, 2013 under  
24 18 U.S.C. § 3161(h)(1)(G) based on the Court's consideration of the proposed plea agreements.

25 **IT IS FURTHER ORDERED** that the United States Probation Office shall prepare  
26 Presentence Investigation Reports for both defendants.

27 DATED: 10/25/12

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HON. SAUNDRA BROWN ARMSTRONG  
United States District Court Judge